



*A person is almost 20
times more likely to have
an injury requiring
medical treatment from
riding a bicycle than
from fireworks.* ⁽⁶⁾

Straight Facts about Consumer Fireworks

- 45 states and The District of Columbia allow the use of some form of consumer fireworks. In other words, over 85% of the U.S. population can legally use some form of Consumer Fireworks. (2,5)
- Since 1994 seven state governing bodies (MD, WV, CT, NC, MN, VT and GA), representing almost 24 million Americans, have enacted legislation to allow Americans to celebrate their nation's freedom by being able to legally use some form of consumer fireworks. In 2000, Connecticut legalized the use of certain Consumer Fireworks. In addition, The Connecticut Department of Public Safety showed a **58% decrease** in fireworks related injuries in 2000 compared to the 14 years prior to the legalization Consumer Fireworks. In the same token, Minnesota legalized consumer fireworks in 2002 and fireworks related damages had over a **50% decrease** in dollars lost from the previous year. (3,4,5)
- Since 1976, when the U.S. Consumer Products Safety Commission promulgated the current federal standards for consumer fireworks, the fireworks related injury rate has fallen by almost **90%** setting a 28-year low. Amazingly, this has occurred while fireworks usage has skyrocketed during the same time period. Fireworks usage has increased 714% from 29.0 million pounds in 1976 to over 236 million pounds in 2004, whereas the injury rate has dramatically dropped from 38.3 injuries per 100,000 pound of fireworks to 4.1 injuries per 100,000 pounds of fireworks. (2)
- In the past **27 years** there have been 276,200 total fireworks related injuries for every age group. **In the year 2003, alone, there were 336,252 total injuries, to children between the ages of 5 and 14, which were attributed to Bicycles.** (1,2)
- The U.S. Consumer Product Safety Commission (CPSC) estimated in a special study conducted in June and July of 2004, that there were 6,600 fireworks related injuries reported. The same report estimated that injuries in children ages 5-14 accounted for 2,000 injuries. **U.S. Consumer Product Safety Commission (CPSC) data confirms children ages 5-14 are over 50 times more likely to be injured by home exercise equipment than from consumer fireworks.** (1)
- In 2003, the National Fire Protection Association (NFPA) developed and published a National Fire Code (NFPA 1124) that addresses every aspect of the sale, storage and display of consumer fireworks. The first document of its kind, ever. (7)
- **What Are the Odds's?** The odds of dying by exposure to smoke, fire and flames is 86,157:1. The odds of dying from a bolt of lightning in 6,479,405:1. *The odds of dying by fireworks discharge are **47,515,636:1**.* (8)

(1) National Electronic Injury Surveillance System (NEISS), U.S. Consumer Product Safety Commission.

(2) American Pyrotechnics Association (APA)

(3) Minnesota Department of Public Safety, State Fire Marshal Division, Reports on Fireworks Injuries in Minnesota 1993-2002.

(4) Connecticut Department of Public Safety, Bureau of State Fire Marshal, Fireworks Injuries Summary 1986-2001.

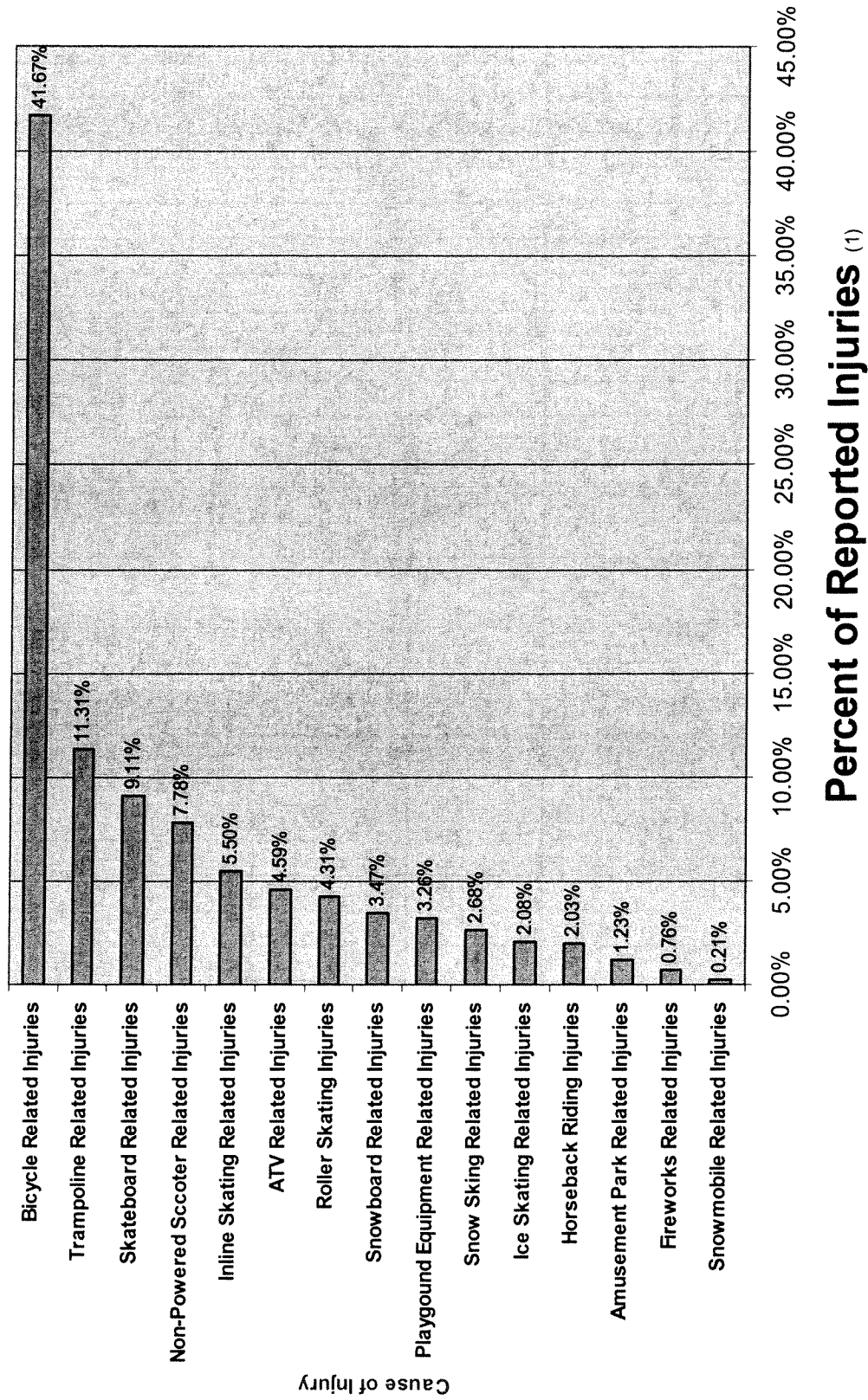
(5) 2000-2002 Estimated Resident U.S. Population, U.S. Department of Commerce, Bureau of Census

(6) Never Bitten, Twice Shy: The Real dangers of Summer, article by David Ropeik and Nigel Holmes

(7) National Fire Protection Association (NFPA), NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2003 Edition

(8) National Safety Council, Odds of Death Due to Injury, United States 2001, March 2004.

2002 Recreational Injuries to Children under 14 requiring hospital emergency room treatment



(1) National Safe Kids Campaign, Safe Kids Website, www.safekids.org, Recreational Injury Facts, Celebrate Safety This 4th of July.

Fireworks-Related Injury Rates, 1976-2005

Year	Fireworks Consumption, Millions of Pounds ¹	Estimated Fireworks-related Injuries ²	Injuries per 100,000 Pounds
1976	29.0	11,100	38.3
1977	32.2	8,300	25.8
1978	32.8	7,100	21.6
1979	36.0	8,100	22.5
1980	41.2	9,400	22.8
1981	42.1	11,400	27.1
1982	50.7	8,500	16.8
1983	51.9	8,200	15.8
1984	55.0	9,900	18.0
1985	63.6	10,300	16.2
1986	72.1	12,600	17.5
1987	72.8	9,000	12.4
1988	66.8	10,200	15.2
1989	80.2	9,700	12.1
1990	67.6	12,000	17.7
1991	73.7	10,900	14.7
1992	87.1	12,500	14.3
1993	101.9	12,000	11.7
1994	117.0	12,500	10.7
1995	115.0	10,900	9.4
1996	118.0	7,300	6.1
1997	132.9	8,300	6.2
1998	112.6	8,500	7.5
1999	156.9	8,500	5.4
2000	152.6	11,000	7.2
2001	161.6	9,500	5.8
2002	190.1	8,800	4.6
2003	220.8	9,700	4.4
2004	236.2	9,600	4.1
2005	281.5	10,800	3.8

¹ Summary of Trade and Tariff Information — Fireworks (TSUS Item 755.15), U.S. International Trade Commission, Washington, D.C.

² National Electronic Injury Surveillance System, U.S. Consumer Product Safety Commission, Washington, D.C.

Source: American Pyrotechnics Association

The Classification of Fireworks

Fireworks are classified as "explosive" for transportation purposes, under regulations of the U.S. Department of Transportation (DOT), because of the chemical compositions contained in fireworks devices. Other Federal agencies use the DOT system and definitions in their regulations affecting the fireworks industry.

In December 1991, the U.S. Department of Transportation revised its Hazardous Materials Regulations based on the U.N. Recommendations on the Transport of Dangerous Goods. Under the current DOT classification system, "explosives" are classed into six divisions. Fireworks fall into two of the six divisions:

<i>Current Classification</i>	<i>Class Name, Prior to January 1, 1991.</i>
Division 1.1	Class A Explosives
Division 1.2	Class A or B Explosives
Division 1.3	Class B Explosives
Division 1.4	Class C Explosives
Division 1.5	Blasting Agents
Division 1.6	No Applicable Hazard Class

Where the classification system in effect prior to January 1, 1991, is referenced in state or local laws, ordinances or regulations not pertaining to the transportation of hazardous materials, the following table may be used to compare old and new hazard class names.

Fireworks fall into two of the six divisions:

<i>Division</i>	<i>Hazard Description.</i>
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Explosives	
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1.3 (formerly Class B Special Fireworks)	Mass fire or deflagration hazard. Examples include many non-detonating military devices such as large flares, and many propellants. "Special Fireworks" — the larger devices used in public displays — are included in this category.
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Explosives	
1.4 (formerly Class C Common Fireworks)	Devices containing limited quantities of explosive or combustible chemical composition. The transportation hazard of these devices is rated "minimum" by DOT. "Common fireworks" devices intended for use by the general public are included in this category.

In comparison, dynamite, TNT, and most military explosives are classed in Division 1.1 and 1.2. These materials and devices possess a detonating or other maximum hazard.

Fireworks may also fall into a category known as "Not Regulated". This category includes

certain small items containing limited amounts of pyrotechnic composition that are packaged in such a way that only a "normal" fire results if a shipping carton containing one of these devices is placed in a bonfire. All items must be tested before they are placed in this category by DOT. "Not regulated" items are exempt from the DOT regulation for Hazardous Materials.

All "explosives" must be formally approved for transportation and assigned an "EX Number" indicating this approval before they can be offered for transportation in the U.S.

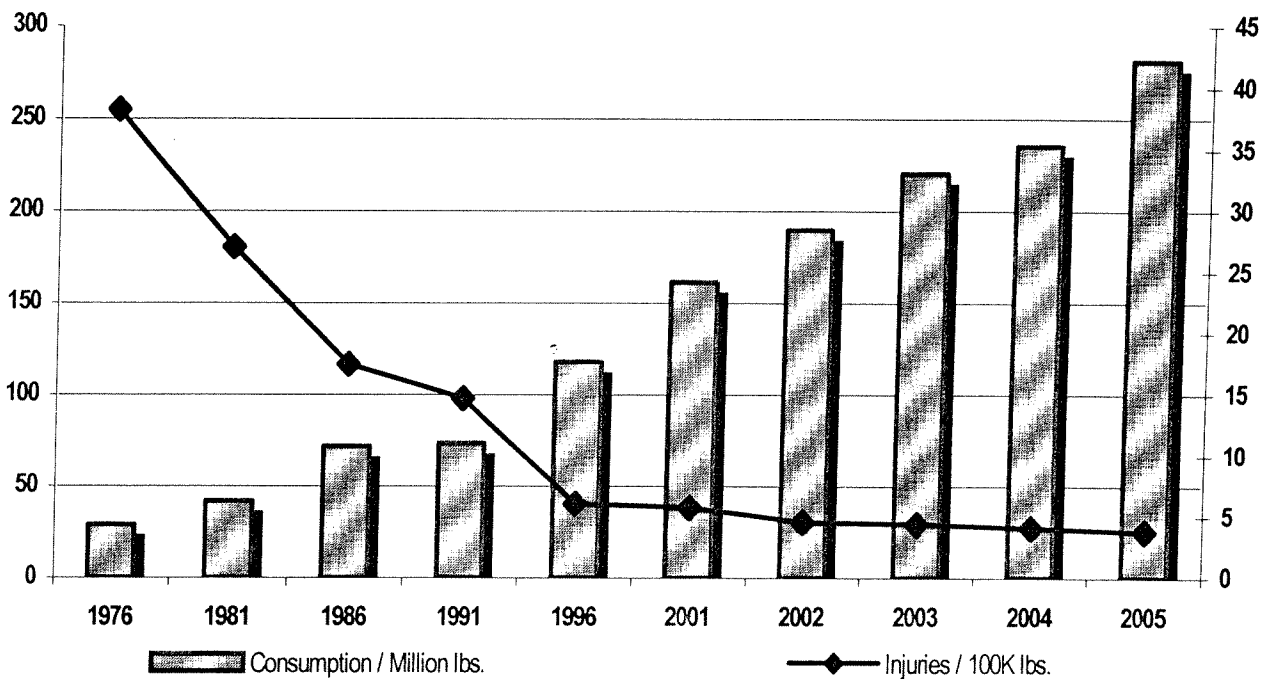
Reference: Title 49, Code of Federal Regulations Parts 173.50, 173.51, 173.52, 173.53, 173.56

Information courtesy of The American Pyrotechnics Association

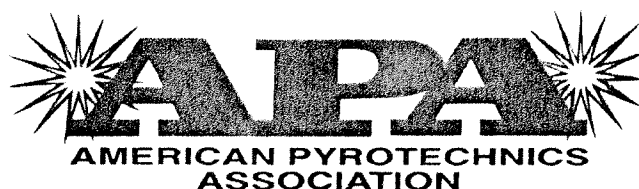


FIREWORKS-RELATED INJURY RATES, 1976-2005

Consumption of fireworks in the United States has risen dramatically over the past two and a half decades, from 29 million pounds in 1976 to over 281.5 million pounds in 2005. While the industry has seen an 870.7% increase in fireworks consumption per million pounds, there has been a 90.1% decrease¹ in fireworks-related injuries per 100,000 pounds.



¹ 1976 fireworks-related injury rate was 38.3 per 100,000 pounds, compared to 2005 rate of 3.8 per 100,000 pounds.



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1984	55.0	9,900	18.0
1985	63.6	10,300	16.2
1986	72.1	12,600	17.5
1987	72.8	9,000	12.4
1988	66.8	10,200	15.2
1989	80.2	9,700	12.1
1990	67.6	12,000	17.7
1991	73.7	10,900	14.7
1992	87.1	12,500	14.3
1993	101.9	12,000	11.7
1994	117.0	12,500	10.7
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1996	118.0	7,300	6.1
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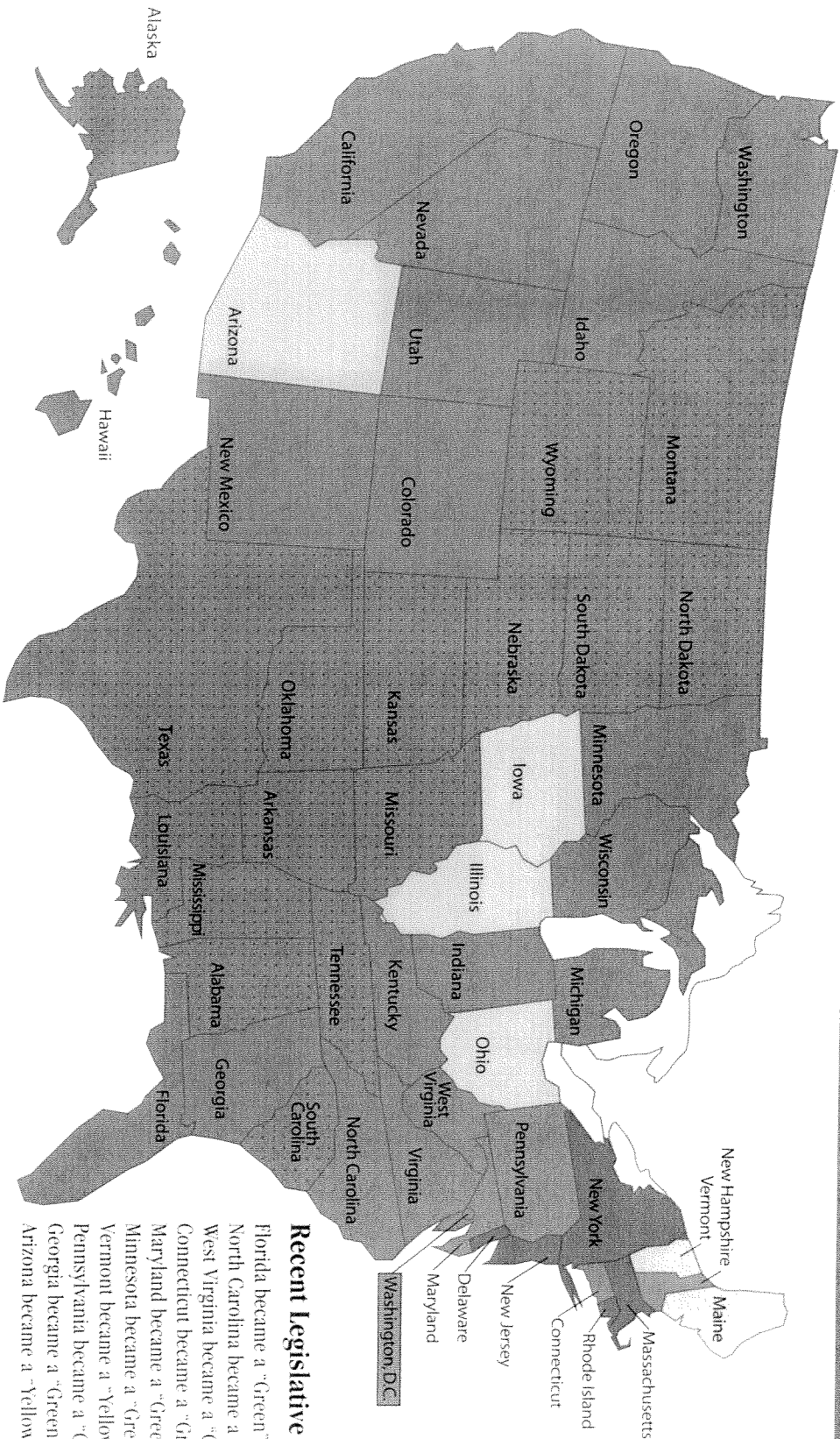
¹ Summary of Trade and Tariff Information — Fireworks (TSUS Item 755.15), U.S. International Trade Commission, Washington, D.C.

² National Electronic Injury Surveillance System, U.S. Consumer Product Safety Commission, Washington, D.C.



STATE LAWS

Fireworks in America



GREEN - Family safe and sane sparklers & fireworks. Hand-held and ground based sparklers (fountains), trick noisemakers, toy smoke devices and snakes. Fireworks sold by retailers – supermarkets, discount stores, drug stores, convenience stores and not-for-profit stands and tents.

YELLOW - Sparklers and/or trick noisemakers, toy smoke devices and snakes. Fireworks sold by retailers – supermarkets, discount stores, drug stores, convenience stores.

GREEN - Most fireworks permitted. (Firecrackers, aerials, Roman candles, sky rockets, etc.) Fireworks sold primarily by licensed fireworks stores and temporary parking lot stands and tents.

RED - Fireworks not permitted for sale to/or use by consumer.

Recent Legislative Activity

Florida became a "Green" state as of January 1, 1988
 North Carolina became a "Green" state as of December 1, 1993
 West Virginia became a "Green" state as of June 11, 1995
 Connecticut became a "Green" state as of June 1, 2000
 Maryland became a "Green" state as of October 1, 2001
 Minnesota became a "Green" state as of April 29, 2002
 Vermont became a "Yellow" state as of May 6, 2003
 Pennsylvania became a "Green" state as of November 30, 2004
 Georgia became a "Green" state as of May 2, 2005
 Arizona became a "Yellow" state as of May 9, 2005

